

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Rule making related to medical prior authorizations under Medicaid

The Human Services Department hereby amends Chapter 73, “Managed Care,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code chapter 249A and 2019 Iowa Acts, House File 766, section 63.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 249A and 2019 Iowa Acts, House File 766, section 63.

Purpose and Summary

2019 Iowa Acts, House File 766, section 63, requires the Department to adopt rules to require that both managed care and fee-for-service payment and delivery systems utilize a uniform process, including but not limited to uniform forms, information requirements, and time frames, to request medical prior authorizations under the Medicaid program.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on September 25, 2019, as **ARC 4673C**.

Two respondents, representing the Iowa Hospital Association and Optima LifeServices, provided written comments. Both respondents supported the uniform prior authorization process but felt the proposed rule making was overly broad and not specific enough. One respondent suggested that Iowa look to Texas and Vermont for examples of uniform prior authorization forms. The Department believes the legislation was purposefully broad and not specific in order to allow the project flexibility. The Department and the managed care organizations (MCOs) have been meeting regularly to create forms that will meet the needs of all Medicaid payers. The Department takes the comments under advisement but did not revise the rule making based upon the comments.

In addition, three other comments outside the scope of the rule making were received. The comments pertained to a review and standardization of management criteria across Medicaid payers and to an investigation of costs associated with expanding the state’s Medicaid management information system (MMIS) for use as a single portal for prior authorization submissions and included a request that the 1915(i) Habilitation program be administered in the same way as the 1915(c) Intellectual Disability waiver, particularly in relation to authorization periods. No changes were made in relation to these comments.

No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Council on Human Services on December 11, 2019.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to rule 441—1.8(17A,217).

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on June 29, 2020.

The following rule-making actions are adopted:

ITEM 1. Adopt the following new paragraph **73.2(4)“o”**:

o. Require managed care organizations and the fee-for-service Medicaid program to utilize a uniform prior authorization process. The process will include forms, information requirements, and time frames.

ITEM 2. Amend **441—Chapter 73**, implementation sentence, as follows:

These rules are intended to implement Iowa Code section 249A.4, ~~and~~ 2015 Iowa Acts, Senate File 505, section 12, and 2019 Iowa Acts, House File 766, section 63.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 1/1/20.